

**PALESTINE LIBERATION ORGANIZATION**  
**Palestine National Authority**  
**Office of the President**

**LABOR LAW**  
**NO (7) FOR YEAR 2000**

The president of the Executive Committee of the Palestine Liberation Organization  
The president of the Palestine National Authority

After having perused Labor Law no 21 for year 1960 and amendments thereto, in force in the Bank districts, and

Labor Law no 16 for year 1964 A.D. and amendments thereto, in force in Gaza districts,

Upon the approval of the Legislative Council in its session held on March 29, 2000,

Have adopted the following Law:

him from performing, continuing or being promoted in his work, or that weakens his ability to perform any of the other basic functions in life, and who needs care and rehabilitation in view of his integration or reintegration in society.

Rehabilitation:

An organized and sustainable process based on scientific grounds, that aims at exploiting the capacities available to any person by way of developing his physical or occupational abilities.

The competent court:

The court having jurisdiction in labor cases.

## **Chapter Two**

### **General Provisions and Principles**

#### **Article (2)**

Every citizen capable of working is entitled to work. The National Authority shall see to provide work on the basis of equal opportunities, without any kind of discrimination.

#### **Article (3)**

The provisions of this Law shall apply to all workers and employers in Palestine, with the exception of:

- 1- Civil servants and local administrations' employees, while reserving their right to form their own unions.
- 2- Domestic servants and the like, with the understanding that the Minister issues a specific regulation for them.
- 3- Employer's family members of the first degree.

#### **Article (4)**

Workers are exempted from the judicial fees of labor proceedings they institute, owing to a conflict pertaining to wages, leaves, termination benefits, compensation for work injury or unfair dismissal of the worker.

#### *(Mehold til dette loven)* **Article (5)** *? Anabere?*

Pursuant to the provisions of the Law, workers and employers are entitled to form occupation-based unions, in view of promoting their interests and defending their rights.

#### **Article (6)**

The provisions of this Law shall be deemed as the minimum non-assignable rights of workers. Wherever there is a special regulation governing work relations, the provisions of this Law or of the said special regulation shall apply to workers, whichever is best for the worker.

*→ Egen lov kan lagforering?  
Forskjellen på en godkjent  
ikke godkjent lagforering.  
→ Sak alene?*

#### **Article (23)**

Every non-governmental training institution shall regularize its position according to the provisions of this Law, no later than six month after effective date thereof.

### **SECTION THREE Individual Work Contract**

#### **Chapter One Drafting the Contract**

#### **Article (24)**

The individual work contract is a written or oral agreement, express or tacit, entered into between an employer and a worker for a limited or unlimited period or for the purpose of carrying out a given work; the worker undertakes there under to perform the said work for the employer, under his leadership and supervision, and the employer undertakes to pay the agreed wage to the worker.

#### **Article (25)**

The maximum term of the limited-period work contract for the same employer may not exceed two consecutive years, including any renewals thereof.

#### **Article (26)**

If the parties to a limited-period work contract carry on with implementing the contract after the same has lapsed, it shall be deemed as an unlimited-period contract.

#### **Article (27)**

Workers with limited-period work contracts, including workers with casual or seasonal work contracts, shall be entitled to the same rights and shall have the same obligations of workers with unlimited-period work contracts in similar conditions, with due regard to the provisions regarding limited-period, casual or seasonal work.

#### **Article (28)**

The work contract shall be drafted in Arabic. It shall include the basic working conditions, mainly wages and the kind, place and duration of work. It shall be signed by both contracting parties and a copy thereof shall be delivered to the worker who may substantiate his rights in all legal substantiation methods.

#### **Article (29)**

The work contract may have an initial three-month probation period that can be renewed only once in the service of the same employer.

#### **Article (30)**

If a sub-contractor performs the work on behalf or in favor of the original employer, both of them shall be jointly liable for the fulfillment of obligations arising from the contract.

#### **Article (31)**

The worker shall not be required to work in a place other than the place agreed upon in the contract, if such results in changing his place of residence.

1- The worker may leave work after notifying the employer thereof, while reserving his legal rights, including termination benefits and rights accruing to him, in any of the following cases:

- a- If the worker is assigned a job the kind and nature of which are distinctly different from the work agreed upon in the work contract, unless there is a temporary need thereto to avoid the occurrence of an accident, or in case of force majeure.
- b- If the worker's assignment results in changing his place of residence.
- c- If a medical report issued by the Medical Board confirms that continuing work will endanger his life.
- d- If the employer or whoever represents him assaults the worker during or in connection to work, by beating or humiliating him.
- e- If the employer fails to fulfill his commitments towards the worker, despite the worker has claimed the same by written.

2- Contrary to the provisions of sub-paragraph (1) above, if the worker resigns from work within the first five years spent at work, he shall be entitled to one-third of the termination benefits; if he resigns within the second five years, he shall be entitled to the two-thirds of the termination benefits; and if he spends at least ten years at work, he shall be entitled to the whole benefits.

#### **Article (43)**

The employer shall return to the worker the papers, certificates or tools the latter has deposited with him. The worker shall return to the employer custody.

#### **Article (44)**

Upon termination of service, the worker shall be delivered, at his request, a certificate of service stating his name, the type and the duration of his work.

#### **Article (45)**

The worker who has spent one whole year at work shall be entitled to termination benefits amounting to one-month-wage for every year he has spent at work. The termination benefits shall be computed on the basis of his last wage, exclusive of overtime; for that purpose, the fractions of a year shall be counted.

#### **Article (46)**

1- Each party to an unlimited-period work contract may terminate the said contract by sending a notice with acknowledgment of receipt to the other party, one month prior to the termination of work.

2- The worker who has been served a contract termination notice from the employer may refrain from coming to work during the second half of the notice period; his absence shall be deemed as effective work in the establishment.

3- Any termination of a work contract without legitimate reasons shall be deemed unfair.

#### **Article (47)**

While reserving all his other legal rights, the worker is entitled to a compensation for his unfair dismissal amounting to two-month-wage for every year he has spent at work, provided the compensation does not exceed his wage over two years.

#### **Article (48)**

- a- A magistrate acting as a chairman.
- b- A representative of the Ministry.
- c- A workers' representative.
- d- An employers' representative.

#### **Article (64)**

When examining a labor dispute, the conciliation delegate and both conciliation or arbitration boards shall have the powers of the competent court, in terms of calling witnesses, hearing their testimonies, carrying out the examination and resorting to experts.

#### **Article (65)**

While collective labor disputes are being examined, the employer may not modify the applicable working conditions.

### **Chapter Four Strike and Closing Down**

#### **Article (66)**

According to the provisions of the Law, workers are guaranteed the right to strike to defend their interests.

#### **Article (67)**

- 1- A written notice specifying the reasons of the strike or the closing down shall be sent by the party concerned by the strike or the closing down to the other party and to the Ministry, two weeks prior to taking such measure.
- 2- The notice shall be served in public administrations four weeks in advance.
- 3- In case of strike, the written notice shall be signed by at least 51% of the workers in the establishment; and in case of closing down, the same percentage shall apply to the establishment's board of directors.
- 4- Strike or closing may not take place while the collective dispute is being examined.
- 5- The party referring the collective labor dispute to the experts shall stop the strike or the closing down.

## **SECTION FIVE Working Conditions**

### **Chapter One Weekly Working Hours and Rest Period**

#### **Article (68)**

Effective working hours shall be forty-five hours per week.

#### **Article (69)**

Daily working hours shall be reduced by no less than one hour for hazardous or harmful works and night works. Such works shall be determined by a decision of the Minister, after consulting workers and employers' organizations concerned.

#### **Article (70)**

Daily working hours shall include one rest period or more, the total of which will not exceed one whole hour, provided the worker does not work for more than five consecutive hours.

#### **Article (71)**

- 1- Both social partners may agree upon overtime hours that will not exceed twelve hours per week.
- 2- The worker shall receive, against every overtime hour, a remuneration equal to that of one and a half hour.

#### **Article (72)**

- 1- The worker shall be entitled to a weekly rest of minimum 24 consecutive hours, fully paid, that may be, by mutual agreement of social partners, combined once a month.
- 2- Weekly rest shall be considered paid if the worker has worked six consecutive days before the said rest. The proportion of days when the worker was absent from work shall be deducted therefrom.

#### **Article (73)**

Friday shall be the weekly day off, unless the nature of work requires the systematic setting of another day.

### **Chapter Two Leaves**

#### **Article (74)**

- 1- The worker shall be entitled to a fourteen-day annual leave for every year spent at work, fully paid; workers in hazardous or harmful works as well as workers who have spent five years in the establishment shall be entitled to a three-week annual leave, fully paid.
- 2- The worker may not waive his annual leave.
- 3- The annual leave may be divided, by mutual agreement of both social partners.
- 4- Annual leaves may not be cumulated for more than two years.

#### **Article (75)**

The worker shall be entitled to a fully paid leave for religious and official feasts, that shall not be deducted from annual leaves.

#### **Article (76)**

The worker shall be entitled to one-week labor cultural leave per year, fully paid. The same shall be organized by the Minister.

#### **Article (77)**

The worker who has spent five years in the establishment shall be entitled, only once, to a paid leave of at least fourteen days, for the performance of pilgrimage.

#### **Article (78)**

- 1- The worker shall be entitled to a three-day paid leave that will not be deducted from his annual leave, if one of his relatives of the first or second degree passes away.
- 2- In case of a confirmed symptom, the worker shall be entitled to ten days absence from work that will be deducted from his annual leave, provided the said absence does not exceed three consecutive days at a time.

- 2- The worker shall be entitled to make objection to any disciplinary action or fine imposed on him to the labor inspector, within one week of receiving written notice thereof.

#### **Article (85)**

Pursuant to the provisions of the Law, the wage of the worker is deemed as a first-class debt.

#### **Article (86)**

- 1- The Council of Ministers shall, upon the Minister's recommendation, form a committee called the "Wage Committee" comprising an equal number of government, employers' and workers' representatives.
- 2- Workers' and employers' associations shall appoint their representatives in the Committee.
- 3- The Council of Ministers shall appoint the chairman of the Committee from amongst its members.
- 4- The Committee shall be entitled to refer to whomever it deems suitable for the fulfillment of its duties.

#### **Article (87)**

The duties of the Wage Committee consist of the following:

- 1- Examining the general wage policies and their adequacy to the living standards, and submitting relevant recommendations to the Council of Ministers.
- 2- Determining the minimum wage so that the Council of Ministers adopts a relevant decision.

#### **Article (88)**

The Wage Committee shall convene periodically, at least once a year; it shall also convene at the request of the chairman or the representatives of any of its three constituents.

#### **Article (89)**

The worker's wage may not be less than the duly recognized minimum wage.

### **Chapter Four Occupational Safety and Health**

#### **Article (90)**

The Council of Ministers shall, upon the proposal of the Minister in coordination with the competent parties, issue regulations pertaining to occupational safety and health and work environment, that shall specifically include:

- 1- Personal preventive means for protecting workers from work hazards and occupational diseases.
- 2- Necessary health conditions at work places.
- 3- Medical assistance facilities for the workers in the establishment.
- 4- Periodic medical examination of the workers.

#### **Article (91)**

Pursuant to the provisions of the Law and relevant regulations, the establishment shall issue instructions pertaining to occupational safety and health and the relevant List of Penalties ratified by the Ministry; the said instructions shall be posted in visible places in the establishment.